

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO.: 15-50404

IN RE:

Carolyn Jan Shotwell, A.K.A. Carolyn
Hobson Shotwell, A.K.A. Carolyn Jan
Hobson,

Debtor.

CHAPTER 13

OBJECTION TO VALUATION
OF COLLATERAL

Vanderbilt Mortgage and Finance, Inc. (hereinafter called "Movant"), by and through its undersigned attorney, objects to confirmation, objects to the valuation of its collateral, and requests a hearing. In support, Movant shows the Court as follows:

1. On or about July 29, 1999, Debtor, Carolyn Jan Shotwell, A.K.A. Carolyn Hobson Shotwell, A.K.A. Carolyn Jan Hobson, financed the purchase of a 1999 Skyline Victory Special 14x76 mobile home, serial number 9R140465L. Movant is the owner and holder of that underlying Retail Installment Contract which is attached and incorporated herein by reference.
2. Debtor filed for relief under Chapter 13 of the Bankruptcy Code on June 25, 2015, and listed as a secured creditor Vanderbilt Mortgage and Finance, Inc.
3. Movant indicates a payoff of Fifteen Thousand Four Hundred Thirty-Nine and 44/100 Dollars (\$15,439.44).
4. Debtor's Chapter 13 Plan values Movant's collateral and provides for payment of Movant's scheduled claim in the amount of Five Thousand Nine Hundred Sixty-Two and 76/100 Dollars (\$5,962.76). The balance of Movant's payoff is to be classified as unsecured.
5. The current N.A.D.A. retail indicates a value of this 1999 mobile home, serial number

9R140465L of Seventeen Thousand Four Hundred Seventy-Four and 00/100 Dollars (\$17,474.00).

WHEREFORE, Movant prays the Court for a determination of the value of its collateral and requests a hearing.

This the 20th day of July, 2015.

/s/Theodore A. Nodell, Jr.
Theodore A. Nodell, Jr.
Nodell, Glass & Haskell, L.L.P.
N.C. State Bar Number: 3239
Attorneys for Movant
5540 Centerview Drive
Suite 416
Raleigh, NC 27606
(919) 821-2600

CERTIFICATE OF SERVICE

I, Virginia L. Spallino, Legal Assistant, of 5540 Centerview Drive, Suite 416, Raleigh, North Carolina 27606, certify:

That I, at all times hereinafter mentioned, was more than eighteen (18) years of age;

That on July 20, 2015, I served the foregoing Objection to Valuation on the following parties to this action by depositing copies of the same in the United States Mail, first class, postage prepaid, and addressed as follows:

Carolyn Jan Shotwell, A.K.A. Carolyn Hobson Shotwell, A.K.A. Carolyn Jan Hobson
5037 Kurstie Ln.
Boonville, NC 27011

Thomas C. Flippin
PO Box 429
Elkin, NC 28621

Steven G. Tate
Office of the Chapter 13 Trustee
212 Cooper Street
Statesville, NC 28677

I certify under penalty of perjury that the foregoing is true and correct.

This the 20th day of July, 2015.

/s/Virginia L. Spallino

Virginia L. Spallino
Legal Assistant